



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,560	09/15/2003	Naoyuki Hatano	9281-4635	9744

7590 08/07/2006

Gustavo Siller, Jr.
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER

CHEN, ALAN S

ART UNIT PAPER NUMBER

2182

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/662,560	HATANO, NAOYUKI	
	Examiner	Art Unit	
	Alan S. Chen	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed 06/01/2006, with respect to the rejection(s) of claim(s) 1,3 and 4 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Pat. Pub. No. 2003/0212841 to Lin. In the current set of claims, applicant incorporates the subject matter of the original claim 2 into the original claim 1. Claim 2 has been cancelled.

Drawings

2. The drawings were received on 06/01/2006. These drawings are acceptable.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1,3 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat. Pub. No. 2003/0212841 to Lin.

5. Per claim 1, Lin discloses a communication control device (*Fig. 2, element 30 is a multifunction USB device that facilitates transfer of data between two other devices*) that controls data communication between a host computer (*Fig. 2, element 100a*) and

a peripheral device (*Fig. 2, element 100b; Paragraph 20, lines 20-29 disclose element 100b can be a flash memory stick or another host for host-to-host communications. Both are peripherals with respect to host computer, element 100a*), comprising: first buffer memory that stores data to be sent to the host computer (*Fig. 2, element 34; Paragraph 20, lines 11-14 disclose ports are connected through FIFOs, elements 34 and 38*); second buffer memory that stores data outputted from the peripheral device (*Fig. 2, element 38; Paragraph 20, lines 11-14*), and a control unit that transfers the data stored in the second buffer memory to the first buffer memory (*Fig. 2, element 42, control circuit governs the communication between FIFOs based on operational mode*), when receiving a transmission approval command of approving data transmission from the peripheral device to the host computer (*Fig. 2, element 40, detection circuit sends approval to control circuit when devices are connected to port elements 32 and 36; Paragraph 20, "...The detection circuit 40 senses how many ports are connected to powered USB components, i.e., USB hosts such as personal computers...and communicating this information to the control circuit 42"*), wherein the first buffer memory and the second buffer memory are FIFO buffers (*clearly labeled in Fig. 2, elements 34 and 38*).

6. Per claim 3, Lin discloses claim 1, wherein the second buffer memory is a multi-stage FIFO buffer (*FIFOS have multiple data elements, queuing at least two data elements, and therefore are by definition, multi-staged*).

7. Per claim 4, Lin discloses claim 1, wherein the data communication is performed using a USB line (*Fig. 3 shows communications over a USB cable/specification*).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patents and patent related publications are cited in the Notice of References Cited (Form PTO-892) attached to this action to further show the state of the art with respect to transferring data from one buffer to another.

- US Pat. No. 6,640,269 to Stewart discloses two buffers (*Fig. 2A, element 216 and 218*), wherein data from one buffer is copied to another via a buffer copier (*Fig. 2B, element 254*).
- US Pat. No. 6,813,674 to Velasco et al. discloses a host having a buffer (*Fig. 31, element 405*) whose data is transferred to a target buffer (*Fig. 31, element 406*).
- US Pat. No. 7,007,139 to Noyle discloses data that is copied from one buffer to another (*Fig. 7*).


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chen whose telephone number is 571-272-4143. The examiner can normally be reached on M-F 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2182

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ASC
08/03/2006


8/3/06